



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.08.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE M.S.RAMESHW.P.(MD) No.12273 of 2018 and
W.M.P.(MD).No.11163 of 2018

V.Sheik Amir Ali

... Petitioner

vs.1. The District Collector,
Dindigul District.2. The Tahsildar,
Aathur Taluk,
Dindigul District.3. The District Elementary Educational Officer,
Dindigul District, Dindigul.

4. Nowsath Begum

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 to take action against the 4th respondent to close the unauthorized school running in Door No.44, Nehru Nursery and Primary School, Sithayankottai, Aathur Taluk, Dindigul District based on the petitioner's representation dated 11.11.2014 and 30.05.2018 respectively and consider the same within a time prescribed by this Court.

For Petitioner : Mr.T.S.Mohamed Mohidheen

For R-1 to R-3 : Mr.V.Anand

Government Advocate

For R-4 : Mr.R.Chandrasekar

ORDER

Heard Mr.T.S.Mohamed Mohidheen, learned counsel appearing for the petitioner and Mr.V.Anand, learned Government Advocate appearing for the respondents 1 to 3 and Mr.R.Chandrasekar, learned counsel appearing for the 4th respondent.

2.It is the grievance of the petitioner that his representations dated 11.11.2014 and 30.05.2018 respectively, seeking for take action against the 4th respondent to close the unauthorized school running in Door No.44, Nehru Nursery and Primary School, Sithayankottai, Aathur Taluk, Dindigul District, has not been considered by the respondents 1 to 3 till date and



therefore, he has filed the present writ petition.

3. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

4. In view of the limited prayer sought for in this writ petition, there shall be a direction to the 3rd respondent to consider the petitioner's representations dated 11.11.2014 and 30.05.2018 respectively, on its own merits and take further action in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner as well as to the 4th respondent any other persons who may be interested in the subject matter.

5. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar (CS-I)

To:

1. The District Collector,
Dindigul District.
2. The Tahsildar,
Aathur Taluk,
Dindigul District.
3. The District Elementary Educational Officer,
Dindigul District, Dindigul.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 76976
+ 1 CC TO Mr.T.S.MOHAMED MOHIDEEN, ADVOCATE IN SR No. 76871
+ 1 CC TO Mr.A.SELVAM, ADVOCATE IN SR No. 76851

SJI

TE/RP/SAR-1 : 11/08/2018 : 2P/7C

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